

# Exhibit C



State of Alabama  
Unified Judicial System  
Form AR Civ-93 Rev. 9/18

**COVER SHEET  
CIRCUIT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)

Case  
02

Date of Filing: 10/11/2023 Judge Code:

**GENERAL INFORMATION**

**IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA  
FIRST BAPTIST CHURCH OF SATSUMA v. MT. HAWLEY INSURANCE COMPANY**

First Plaintiff:  Business  Individual  
 Government  Other

First Defendant:  Business  Individual  
 Government  Other

**NATURE OF SUIT:** Select primary cause of action, by checking box (check only one) that best characterizes your action:

**TORTS: PERSONAL INJURY**

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonness
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: \_\_\_\_\_

**TORTS: PERSONAL INJURY**

- TOPE - Personal Property
- TORE - Real Properly

**OTHER CIVIL FILINGS**

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Service

**OTHER CIVIL FILINGS (cont'd)**

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP - Contempt of Court
- CONT - Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- CVUD - Eviction Appeal/Unlawful Detainer
- FORJ - Foreign Judgment
- FORF - Fruits of Crime Forfeiture
- MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB - Protection From Abuse
- EPFA - Elder Protection From Abuse
- QTLB - Quiet Title Land Bank
- FELA - Railroad/Seaman (FELA)
- RPRO - Real Property
- WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- COMP - Workers' Compensation
- CVXX - Miscellaneous Circuit Civil Case

ORIGIN:  F  INITIAL FILING

A  APPEAL FROM  
DISTRICT COURT

O  OTHER

R  REMANDED

T  TRANSFERRED FROM  
OTHER CIRCUIT COURT

HAS JURY TRIAL BEEN DEMANDED?  YES  NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)

RELIEF REQUESTED:  MONETARY AWARD REQUESTED  NO MONETARY AWARD REQUESTED

**ATTORNEY CODE:**

COM025

10/11/2023 9:24:45 PM

/s/ WILLIAM COMPTON

Date

Signature of Attorney/Party filing this form

MEDIATION REQUESTED:  YES  NO  UNDECIDED

Election to Proceed under the Alabama Rules for Expedited Civil Actions:

YES  NO

**Mt. Hawley Insurance Company**

9025 N. Lindbergh Drive  
Peoria, Illinois 61615  
309-692-1000

**Commercial Property Policy Declarations Page****Policy No.** MCP0165634**Named Insured and Mailing Address:**

First Baptist Church Of Satsuma  
P.O. Box 557  
Satsuma, AL 36572

**Agent/Broker and Mailing Address:**

AmWINS Brokerage of Georgia  
3630 Peachtree Rd NE Ste 1700  
Atlanta, GA 30326

**Policy Period:** From 06/20/2020 to 06/20/2021 at 12:01 A.M. Standard Time at your mailing address shown above.

**DESCRIPTION OF PREMISES**

Covered Locations Listed Below :

5600 Old Highway 43, Satsuma, AL 36572

**CAUSES OF LOSS:** Special excluding Earthquake and Flood**LIMITS OF INSURANCE**

**Total coverage (limit) applicable Limit \$12,507,000**

Refer to CPR 2162, Specified Limits Endorsement

**Per Occurrence Loss Limit**

At no time will we pay more than \$12,507,000 for a loss due to a single occurrence or event.

**DEDUCTIBLE(S):** Refer to CPR 2218, Declarations - Deductible Addendum

**FORMS MADE A PART OF THIS POLICY AT TIME OF ISSUE:** See CPR 2150, Applicable Forms & Endorsements

<b>PCA Fees</b>	\$ [REDACTED]
<b>Total Premium</b>	\$ [REDACTED]
<b>Amount Payable At Inception</b>	\$ [REDACTED]

Authorized Signature

CN 7/01/2020

FRPR 100 (02/02)

Insured

Page 1 of 1

## DECLARATIONS - SUB-LIMIT ADDENDUM

The total Limit of Liability as shown in the Declarations is subject to the following sub-limit(s). The sub-limit(s) shown is a limit or amount per occurrence, except for Earthquake and Flood where an annual aggregate applies. The sub-limit(s) shown are included in and do not increase the Limit of Liability shown in the Declarations. We will not, in any case, exceed this sub-limit(s) in one disaster, casualty or event, no matter how many locations are involved.

Coverage Part or Item:	Sub-Limit
Demolition & Increased Cost of Construction (B&C)	\$1,000,000
Fire Department Service Charges	\$5,000
Property in Transit	\$25,000

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **DECLARATIONS - DEDUCTIBLE ADDENDUM**

The following deductible wording is in addition to all other deductible wording found elsewhere in this policy. All other deductible wording found in and made a part of this policy also applies. Each claim for loss or damage will be adjusted separately.

### **PERIL DEDUCTIBLE(S)**

\$10,000 Per Occurrence for All Covered Perils, except:

1.00% of the Total Insurable Values Per Building (including time element if applicable) at the time of loss or damage subject to a minimum of \$25,000 Per Occurrence for Named Storm

\$25,000 Per Occurrence for Windstorm or Hail

Total Insurable Values is defined as the full value of covered property, including time element if applicable, subject to the valuation terms and conditions of the policy. Total Insurable Values are calculated at the time of loss or damage.

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.****SPECIFIED LIMITS ENDORSEMENT**

Prem./Loc. No.	Bldg. No.	Limit of Insurance	Type of Coverage	Coins. Percent	Val.*	Description & Location of Property Covered
00001	001	\$2,275,000	Building	80%	RCV	Built: 1991, Masonry Non-Combustible 5600 Old Highway 43 Satsuma, AL 36572 Church
00001	001	\$600,000	Business Personal Property	80%	RCV	Built: 1991, Masonry Non-Combustible 5600 Old Highway 43 Satsuma, AL 36572 Church
00001	002	\$4,410,000	Building	80%	RCV	Built: 1970, Non- Combustible 5600 Old Highway 43 Satsuma, AL 36572 Fellowship Hall/Gym
00001	002	\$266,000	Business Personal Property	80%	RCV	Built: 1970, Non- Combustible 5600 Old Highway 43 Satsuma, AL 36572 Fellowship Hall/Gym
00001	003	\$1,055,000	Building	80%	RCV	Built: 1956, Joisted Masonry 5600 Old Highway 43 Satsuma, AL 36572 Common Hall
00001	003	\$254,000	Business Personal Property	80%	RCV	Built: 1956, Joisted Masonry 5600 Old Highway 43 Satsuma, AL 36572 Common Hall
00001	004	\$2,932,000	Building	80%	RCV	Built: 1960, Masonry Non-Combustible 5600 Old Highway 43 Satsuma, AL 36572 Classrooms
00001	004	\$200,000	Business Personal Property	80%	RCV	Built: 1960, Masonry Non-Combustible 5600 Old Highway 43 Satsuma, AL 36572 Classrooms

\* Valuation. Indicate: ACV (Actual Cash Value), ALS (Actual Loss Sustained), RCV (Replacement Cost Value), SP (Selling Price) or SV (Stated Value).

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **SPECIFIED LIMITS ENDORSEMENT**

Prem./Loc. No.	Bldg. No.	Limit of Insurance	Type of Coverage	Coins. Percent	Val.*	Description & Location of Property Covered
00001	005	\$300,000	Building	80%	RCV	Built: 1996, Frame 5600 Old Highway 43 Satsuma, AL 36572 Day Care
00001	005	\$42,000	Business Personal Property	80%	RCV	Built: 1996, Frame 5600 Old Highway 43 Satsuma, AL 36572 Day Care
00001	006	\$173,000	Covered Walkway	N/A	RCV	Built: 1991, Frame 5600 Old Highway 43 Satsuma, AL 36572 Covered Walkway

\* Valuation. Indicate: ACV (Actual Cash Value), ALS (Actual Loss Sustained), RCV (Replacement Cost Value), SP (Selling Price) or SV (Stated Value).

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **APPLICABLE FORMS & ENDORSEMENTS**

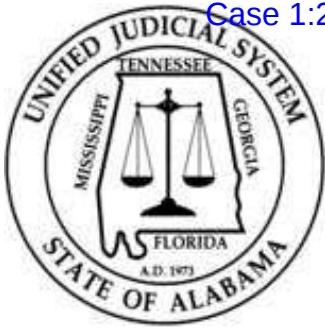
FORMS AND ENDORSEMENTS LISTED BELOW APPLY TO AND ARE MADE PART OF THIS POLICY AT TIME OF ISSUE.

CPR-2147(02/04)	Declarations - SubLimit Addendum
CPR-2218(11/04)	Declarations - Deductible Addendum
CPR-2162(01/02)	Specified Limits Endorsement
CP-0010(06/07)	Building and Personal Property Coverage Form
CP-1030(06/07)	Causes Of Loss - Special Form
CP-0090(07/88)	Commercial Property Conditions
IL-0017(11/98)	Common Policy Conditions
CP-0415(10/00)	Debris Removal Additional Insurance
CP-1218(06/95)	Loss Payable Provisions
CP-1430(10/00)	Outdoor Trees, Shrubs and Plants
CP-1440(06/07)	Outdoor Signs
CPR-2152F(02/04)	Electronic Data Processing Endorsement
CPR-2161(11/13)	Ordinance or Law Coverage
CPR-2170(03/02)	Valuable Papers and Records
CPR-2177(03/02)	Accounts Receivable
CPR-2212(03/02)	Additional Named Insureds
CPR-2216(01/20)	Fine Arts Endorsement
CPR-2224(03/03)	Sewer Back Up Endorsement
CPR-2268(02/07)	Protective Safeguard Endorsement
CPR-2274(04/12)	Minimum Earned Premium Endorsement
CPR-2276(04/12)	Non-Payment Of Premium
CPR-2281(12/14)	Nuclear, Biological, Chemical, or Radioactive Exclusion
CPR-2282(02/15)	Exclusion Of Cosmetic Damage To Roof Surfacing
CPR-2283(05/19)	Actual Cash Value For Roof Surfacing
CPR-2284(04/15)	Fire Protection Equipment Recharge Endorsement
CP-1032(08/08)	Water Exclusion Endorsement
CPR-2117(08/15)	Definition of Occurrence
CPR-2126(10/01)	Limitation of Liability Endorsement
CPR-2133(10/01)	Absolute Pollution Exclusion Endorsement
CPR-2165(04/13)	Liberalization Clause Endorsement
CPR-2230(03/08)	Terrorism Exclusion
CPR-2237(08/03)	Additional Covered Property Endorsement

**APPLICABLE FORMS & ENDORSEMENTS****(cont'd)**

CPR-2252(07/04)	Property In Transit Endorsement
CPR-2261(09/04)	Fire Department Service Charge Endorsement
CPR-2269(06/09)	Asbestos Exclusion
CPR-2291(08/15)	Named Storm Definition
CPR-2295(04/20)	Windstorm Or Hail Loss Reporting Limitation Addendum
CPR-2309(03/20)	Exclusion Of Loss Due To Virus Or Bacteria
CPR-2310(04/20)	Appraisal
CPR-2311(04/20)	Legal Action Conditions Endorsement
CPR-2313(06/20)	Cyber And Computer Related Loss Exclusion
IL-0190(09/07)	Alabama Changes - Actual Cash Value
RIL-099(04/20)	Service Of Suit
ILF-0001C(04/16)	Signature Page

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**



## AlaFile E-Notice

02-CV-2023-902143.00

To: WILLIAM COMPTON  
mcompton@forthepeople.com

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

FIRST BAPTIST CHURCH OF SATSUMA V. MT. HAWLEY INSURANCE COMPANY  
02-CV-2023-902143.00

The following complaint was FILED on 10/11/2023 9:24:47 PM

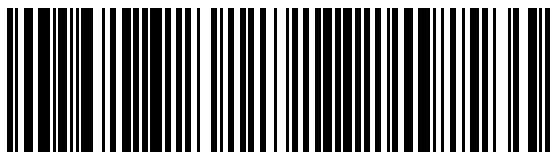
Notice Date: 10/11/2023 9:24:47 PM

SHARLA KNOX  
CIRCUIT COURT CLERK  
MOBILE COUNTY, ALABAMA  
CIRCUIT CIVIL DIVISION  
205 GOVERNMENT STREET  
MOBILE, AL, 36644

251-574-8420  
charles.lewis@alacourt.gov



CIRCUIT CIVIL DIVISION  
205 GOVERNMENT STREET  
MOBILE, AL, 36644



9214 8901 7301 4102 2300 1286 20

02-CV-2023-902143.00

To: MT. HAWLEY INSURANCE COMPANY  
C/O CRAIG W. KLIETHERMES  
9025 N. LINDBERGH DR.  
PEORIA, IL 61615

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

FIRST BAPTIST CHURCH OF SATSUMA V. MT. HAWLEY INSURANCE COMPANY  
02-CV-2023-902143.00

The following complaint was FILED on 10/11/2023 9:24:47 PM

Notice Date: 10/11/2023 9:24:47 PM

SHARLA KNOX  
CIRCUIT COURT CLERK  
MOBILE COUNTY, ALABAMA  
CIRCUIT CIVIL DIVISION  
205 GOVERNMENT STREET  
MOBILE, AL 36644

251-574-8420  
charles.lewis@alacourt.gov

State of Alabama  
Unified Judicial System  
Form C-34 Rev. 7/2023

**SUMMONS**  
**- CIVIL -**

Court Case Number  
02-CV-2023-902143.00

**IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA**

**FIRST BAPTIST CHURCH OF SATSUMA V. MT. HAWLEY INSURANCE COMPANY**

**NOTICE TO:** MT. HAWLEY INSURANCE COMPANY, C/O CRAIG W. KLIETHERMES 9025 N. LINDBERGH DR., PEORIA, IL 61615

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), WILLIAM COMPTON ,

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: 25 BULL STREET, SUITE 400, SAVANNAH, GA 31401 .

[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:**

- You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.
- Service by certified mail of this Summons is initiated upon the written request below of pursuant to the Alabama Rules of the Civil Procedure.

FIRST BAPTIST CHURCH OF SATSUMA  
[Name(s)]

10/11/2023

(Date)

/s/ SHARLA KNOX

(Signature of Clerk)

By:

(Name)

- Certified Mail is hereby requested.

/s/ WILLIAM COMPTON

(Plaintiff's/Attorney's Signature)

**RETURN ON SERVICE**

*Certified Mail*

- Return receipt of certified mail received in this office on \_\_\_\_\_.

(Date)

*Personal/Authorized*

- I certify that I personally delivered a copy of this Summons and the Complaint or other document to

in

County, Alabama on \_\_\_\_\_.

(First and Last Name of Person Served)

(Name of County)

(Date)

Document left:

- with above-named Defendant;  
 with an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;  
 at the above-named Defendant's dwelling house or place or usual place of abode with some person of suitable age and discretion then residing therein.

*Return of Non-Service*

- I certify that service of process of this Summons and the Complaint or other document was refused by

in

County, Alabama on \_\_\_\_\_ who is:

(First and Last Name of Person Served)

(Name of County)

(Date)

- the above-named Defendant;  
 an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;

- As a designated process server pursuant to Rule 4(i)(1)(B), Alabama Rules of Civil Procedure, I certify that I am at least 19 years of age, I am not a party to this proceeding, and I am not related within the third degree by blood or marriage to the party seeking service of process.

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Badge or Precinct Number of Sheriff or Constable) (Server's Printed Name)

(Badge or Precinct Number of Sheriff or Constable) (Telephone Number of Designated Process Server)

Revised 4-1-99; 11-1-99; 11-3-05

02-CV-2023-902143.00  
CIRCUIT COURT OF  
MOBILE COUNTY, ALABAMA  
SHARLA KNOX, CLERK

## IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

\*  
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\*  
\*

Plaintiff,

CIVIL ACTION NO. \_\_\_\_\_

vs.

Defendant.

**GENERAL PRE-TRIAL ORDER**

To expedite pre-trial and trial procedure, it is ORDERED by the Court that the following will apply:

**1. EXHIBITS, DOCUMENTS, AND PHYSICAL EVIDENCE GENERALLY**

a. Each party shall identify in writing to all other parties and shall make all documents, exhibits and physical evidence, or copies thereof, expected to be used in the case in chief available to the other parties, not less than 21 days prior to trial, for inspection and copying. The same shall then be authenticated and admitted into evidence without further proof, unless written objections to any such documents or exhibits be made to the Court not less than 14 days prior to trial specifying the grounds of objection to the genuineness and relevancy of the proposed document, exhibit, or physical evidence. The requirement does not apply to documents, exhibits and physical evidence used solely as impeachment evidence.

b. Documents, exhibits or physical evidence not timely exhibited to or made available to other parties prior to trial under this Order will not be admitted into evidence at the trial unless solely for impeachment purposes or unless the ends of justice so require.

c. Documents, exhibits or physical evidence so admitted hereunder shall be presented to the court reporter for marking in evidence prior to trial.

**2. DOCTOR, HOSPITAL AND MEDICAL EXPENSES**

a. If applicable, all doctor, medical and hospital bills shall be sent to or made available to all parties not less than 21 days before trial and shall be admitted in evidence as reasonable without further proof, unless written objection to any such bills be made to the Court no less than 14 days before trial specifying the grounds for objection.

b. Any such bills not timely exhibited to the other parties will not be admitted in evidence at trial unless the ends of justice so require.

c. The bills so admitted shall be presented to the court reporter for marking in evidence prior to trial.

**3. SPECIAL DAMAGES**

a. All parties seeking special damages shall furnish the other parties with a list thereof not less than 21 days before trial. Written objections thereto may be made not less than 14 days before trial specifying grounds of objections.

b. Evidence of special damages claimed, but not timely exhibited to other parties, will not be admitted into evidence unless the ends of justice require so.

**4. AGENCY-TIME AND PLACE-DUTY**

a. Agency and the time and place of the incident involved, if alleged in the complaint, and, if a negligence case, the existence of a duty, are admitted and the parties are deemed correctly named and designated unless specifically denied by answer or unless written objection is made not less than 14 days before trial. The objections shall include the correct name and entity and/or the grounds relied on.

**5. EXPERTS**

a. Unless previously obtained by discovery, each party will furnish to all other parties the names, addresses and qualifications of all expert witnesses expected to testify, together with a brief summary of their opinions. Such disclosure of experts shall be made by the party filing the Motion to Set and Certificate of Readiness not later than the time of filing such motion. Disclosure by all parties shall be made not later than 14 days after the filing of the Motion to Set and Certificate of Readiness.

b. Disclosure of experts in cases not included in the Fasttrack system shall be made by all parties not less than 60 days before trial.

c. Unless written objection to the qualifications of an expert is made not later than 30 days before trial, stating grounds, the qualification of such expert will be admitted.

d. Upon calling an expert to testify at trial, the attorney may state to the Court and jury the name, address and summary of the qualifications of the expert.

**6. DISCOVERY**

Discovery shall be completed 30 days prior to the trial date. On written motion for good cause shown, the court may allow discovery within this 30-day period.

**7. JURY INSTRUCTIONS**

If the case is to be tried by a jury, requested written charges shall be submitted to the Court not later than the close of the plaintiff's case, subject to supplementation during the course of the trial on matters which could not be reasonably anticipated. Each requested charge will be typed on letter size paper and identified by the party's last name and shall be numbered.

**8. JURY SELECTION**

Before the commencement of trial, the parties will furnish or advise the court, outside the presence of the jury, the names of all insurance companies involved and any special voir dire questions for the purpose of qualifying the jury.

**9. DUTY TO SUPPLEMENT DISCOVERY**

All parties are under duty to supplement responses to discovery as provided by Rule 26(e)(3) ARCP which should be done not less than 30 days before trial.

**10. MOTIONS GENERALLY**

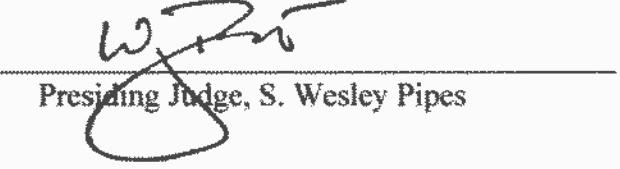
If motion to strike or motion to dismiss a pleading is filed, the Court will not consider such unless a copy of the pleading sought to be struck or dismissed is attached thereto.

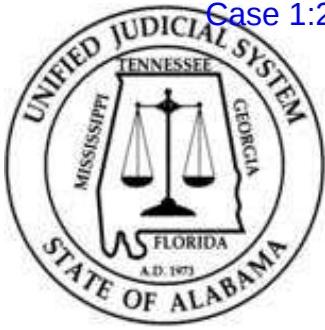
**11. CONFLICTS**

In the event of scheduling conflict affected counsel shall comply with the Attorney Calendar Conflict Resolution Order of the Alabama Supreme Court.

It is further ORDERED by the Court that the Court will reconsider any portion of the General Pre-Trial Order upon timely application by any party.

Done this the \_\_\_\_\_ day of \_\_\_\_\_

  
Presiding Judge, S. Wesley Pipes



## AlaFile E-Notice

02-CV-2023-902143.00

Judge: MICHAEL A YOUNGPETER

To: COMPTON WILLIAM MAXWELL  
mcompton@forthepeople.com

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

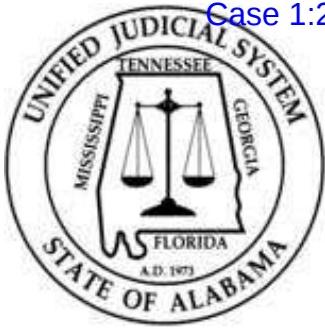
FIRST BAPTIST CHURCH OF SATSUMA V. MT. HAWLEY INSURANCE COMPANY  
02-CV-2023-902143.00

The following matter was FILED on 10/13/2023 10:07:25 AM

Notice Date: 10/13/2023 10:07:25 AM

SHARLA KNOX  
CIRCUIT COURT CLERK  
MOBILE COUNTY, ALABAMA  
CIRCUIT CIVIL DIVISION  
205 GOVERNMENT STREET  
MOBILE, AL, 36644

251-574-8420  
charles.lewis@alacourt.gov



## AlaFile E-Notice

02-CV-2023-902143.00

Judge: MICHAEL A YOUNGPETER

To: MT. HAWLEY INSURANCE COMPANY (PRO SE)  
C/O CRAIG W. KLIETHERMES  
9025 N. LINDBERGH DR.  
PEORIA, IL, 61615-0000

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

FIRST BAPTIST CHURCH OF SATSUMA V. MT. HAWLEY INSURANCE COMPANY  
02-CV-2023-902143.00

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SHARLA KNOX  
CIRCUIT COURT CLERK  
MOBILE COUNTY, ALABAMA  
CIRCUIT CIVIL DIVISION  
205 GOVERNMENT STREET  
MOBILE, AL, 36644

251-574-8420  
charles.lewis@alacourt.gov



October 19, 2023

Dear Circuit Clerk:

**UJS Information**

Case Number: 02-CV-2023-902143.00  
Document Type: Complaint  
Restricted Delivery Requested: No

Intended Recipient:  
MT. HAWLEY INSURANCE COMPANY (D001)  
C/O CRAIG W. KLIETHERMES  
9025 N. LINDBERGH DR.  
PEORIA, IL 61615

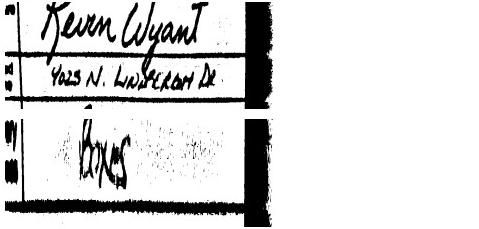
The following is in response to your request for proof of delivery on your item with the tracking number:  
**9214 8901 7301 4102 2300 1286 20.**

**Item Details**

**Status:** Delivered, Individual Picked Up at Postal Facility  
**Status Date / Time:** October 19, 2023, 9:31 am  
**Location:** PEORIA, IL 61615  
**Postal Product:** First-Class Mail®  
**Extra Services:** Certified Mail™  
Return Receipt Electronic

**Recipient Signature**

Signature of Recipient:

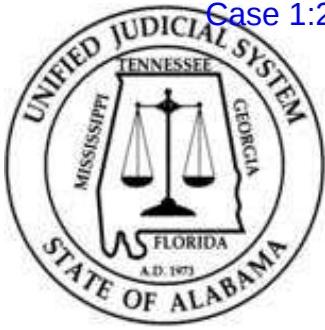


Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004



## AlaFile E-Notice

02-CV-2023-902143.00

Judge: MICHAEL A YOUNGPETER

To: COMPTON WILLIAM MAXWELL  
mcompton@forthepeople.com

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## NOTICE OF SERVICE

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IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

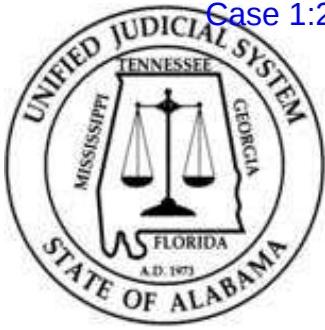
FIRST BAPTIST CHURCH OF SATSUMA V. MT. HAWLEY INSURANCE COMPANY  
02-CV-2023-902143.00

The following matter was served on 10/19/2023

**D001 MT. HAWLEY INSURANCE COMPANY**  
**Corresponding To**  
**CERTIFIED MAIL**  
**ELECTRONIC CERTIFIED MAIL RETURN**

SHARLA KNOX  
CIRCUIT COURT CLERK  
MOBILE COUNTY, ALABAMA  
CIRCUIT CIVIL DIVISION  
205 GOVERNMENT STREET  
MOBILE, AL, 36644

251-574-8420  
charles.lewis@alacourt.gov



## AlaFile E-Notice

02-CV-2023-902143.00

Judge: MICHAEL A YOUNGPETER

To: MT. HAWLEY INSURANCE COMPANY (PRO SE)  
C/O CRAIG W. KLIETHERMES  
9025 N. LINDBERGH DR.  
PEORIA, IL, 61615-0000

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## NOTICE OF SERVICE

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**IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA**

**FIRST BAPTIST CHURCH OF  
SATSUMA**

**Plaintiff,  
vs.**

**MT. HAWLEY INSURANCE  
COMPANY**

**Defendants.**

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**CIVIL ACTION NO:**

**JURY TRIAL DEMANDED**

**COMPLAINT**

COMES NOW, Plaintiff, FIRST BAPTIST CHURCH OF SATSUMA, by and through its undersigned counsel, and sues Defendant, MT. HAWLEY CASUALTY COMPANY, and as grounds therefore states as follows:

1. Plaintiff is the owner of the property and structural improvements thereon located at 5600 Old Highway 43 Satsuma, AL 36572 (the "Property"). The Property is located within the confines of Mobile County, Alabama, and all contracts of insurance made the basis of this suit were entered into within the confines of Mobile County, Alabama. Furthermore, Plaintiff hereby submits to the venue and jurisdiction of this Honorable Court.
2. Mt. Hawley Insurance Company ("Defendant") is a foreign insurance corporation that contracted to insure persons and their property from the risk of loss within the State of Alabama and Mobile County, Alabama.
3. Defendant is subject to the jurisdiction of this Court.
4. Venue is proper in this Court.
5. Defendant may be served with process on its registered agent for service of process, Craig W. Kliethermes, 9025 N. Lindbergh Drive, Peoria, Illinois 61615.

6. On or about September 16, 2020, Hurricane Sally, a destructive category 2 hurricane came ashore along the Alabama Gulf Coast and Florida Panhandle.
7. At said time and place, Plaintiff had in full force and effect a policy of insurance with Defendant, given Policy No. MCP0165634 which provided certain coverage for the Property (the "Policy"). A copy of the Policy declarations pages are attached hereto as **Exhibit "A"**.
8. On September 16, 2020, the Property sustained severe damage caused by wind and rain generated by Hurricane Sally (the "Loss").
9. Plaintiff promptly reported the Loss to Defendant.
10. Defendant assigned claim number 488601 (the "Claim") to the Loss.
11. Defendant estimated the amount of damage to the Property caused by the Loss at \$69,314.07.
12. After application of the Policy deductible and recoverable depreciation, Defendant issued payment to Plaintiff for undisputed damage to the Property caused by the Loss in the amount of \$27,598.10.
13. Plaintiff disputes Defendant's estimate of the cost to repair the damage to the Property caused by the Loss.
14. Plaintiff contends that the cost to repair the damage to the Property caused by the Loss exceeds \$69,314.07.
15. Plaintiff contends that it is entitled to payment under the terms and conditions of the Policy in excess of \$27,598.10.
16. Defendant failed to make payment to Plaintiff for the Loss in the full amount of the Loss.
17. Defendant failed to fully indemnify Plaintiff for the damage to the Property caused by Loss as required by the Policy.

**COUNT ONE**  
**BREACH OF CONTRACT**

18. Plaintiff hereby adopts and re-alleges each preceding paragraph as if fully set forth herein.

19. On September 16, 2020, Plaintiff and Defendant were parties in a binding and enforceable insurance contract identified herein as the Policy.

20. Plaintiff fully performed in accordance with the Policy, making all premium payments and complying with all conditions as required under the terms of the Policy.

21. Defendant breached said contract by failing and/or refusing to pay Plaintiff's benefits and coverage rightfully due under the Policy for the Loss.

22. As a direct and proximate result of said breach, Plaintiff has sustained damages in an amount to be proven at trial.

**WHEREFORE**, Plaintiff demands judgment against Defendant in an amount in excess of this Court's minimum jurisdictional limits, plus costs, attorney's fees and all other relief to which this Honorable Court may deem Plaintiff entitled.

**PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY**

Respectfully submitted this 11<sup>th</sup> day of October, 2023.

**MORGAN & MORGAN**

/s/ Max Compton

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William Maxwell Compton (COM025)  
Attorney for Plaintiff

200 Stephenson Ave., Suite 200  
Savannah, GA 31405  
Direct: 912-443-1017  
Fax: 912-443-1184  
MCompton@forthepeople.com

## **EXHIBIT A TO PLAINTIFF'S COMPLAINT**



## Mt. Hawley Insurance Company

9025 N. Lindbergh Drive  
Peoria, Illinois 61615  
309-692-1000

## Commercial Property Policy Declarations Page

**Policy No.** MCP0165634

**Named Insured and Mailing Address:**

First Baptist Church Of Satsuma  
P.O. Box 557  
Satsuma, AL 36572

**Agent/Broker and Mailing Address:**

AmWINS Brokerage of Georgia  
3630 Peachtree Rd NE Ste 1700  
Atlanta, GA 30326

**Policy Period:** From 06/20/2020 to 06/20/2021 at 12:01 A.M. Standard Time at your mailing address shown above.

### DESCRIPTION OF PREMISES

Covered Locations Listed Below :

5600 Old Highway 43, Satsuma, AL 36572

### CAUSES OF LOSS:

Special excluding Earthquake and Flood

### LIMITS OF INSURANCE

**Total coverage (limit) applicable Limit \$12,507,000**

Refer to CPR 2162, Specified Limits Endorsement

### Per Occurrence Loss Limit

At no time will we pay more than \$12,507,000 for a loss due to a single occurrence or event.

**DEDUCTIBLE(S):** Refer to CPR 2218, Declarations - Deductible Addendum

**FORMS MADE A PART OF THIS POLICY AT TIME OF ISSUE:** See CPR 2150, Applicable Forms & Endorsements

PCA Fees	\$ [REDACTED]
Total Premium	\$ [REDACTED]
Amount Payable At Inception	\$ [REDACTED]

Authorized Signature

CN 7/01/2020

FRPR 100 (02/02)

Insured

Page 1 of 1

## DECLARATIONS - SUB-LIMIT ADDENDUM

The total Limit of Liability as shown in the Declarations is subject to the following sub-limit(s). The sub-limit(s) shown is a limit or amount per occurrence, except for Earthquake and Flood where an annual aggregate applies. The sub-limit(s) shown are included in and do not increase the Limit of Liability shown in the Declarations. We will not, in any case, exceed this sub-limit(s) in one disaster, casualty or event, no matter how many locations are involved.

Coverage Part or Item:	Sub-Limit
Demolition & Increased Cost of Construction (B&C)	\$1,000,000
Fire Department Service Charges	\$5,000
Property in Transit	\$25,000

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **DECLARATIONS - DEDUCTIBLE ADDENDUM**

The following deductible wording is in addition to all other deductible wording found elsewhere in this policy. All other deductible wording found in and made a part of this policy also applies. Each claim for loss or damage will be adjusted separately.

### **PERIL DEDUCTIBLE(S)**

\$10,000 Per Occurrence for All Covered Perils, except:

1.00% of the Total Insurable Values Per Building (including time element if applicable) at the time of loss or damage subject to a minimum of \$25,000 Per Occurrence for Named Storm

\$25,000 Per Occurrence for Windstorm or Hail

Total Insurable Values is defined as the full value of covered property, including time element if applicable, subject to the valuation terms and conditions of the policy. Total Insurable Values are calculated at the time of loss or damage.

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **SPECIFIED LIMITS ENDORSEMENT**

Prem./Loc. No.	Bldg. No.	Limit of Insurance	Type of Coverage	Coins. Percent	Val.*	Description & Location of Property Covered
00001	001	\$2,275,000	Building	80%	RCV	Built: 1991, Masonry Non-Combustible 5600 Old Highway 43 Satsuma, AL 36572 Church
00001	001	\$600,000	Business Personal Property	80%	RCV	Built: 1991, Masonry Non-Combustible 5600 Old Highway 43 Satsuma, AL 36572 Church
00001	002	\$4,410,000	Building	80%	RCV	Built: 1970, Non- Combustible 5600 Old Highway 43 Satsuma, AL 36572 Fellowship Hall/Gym
00001	002	\$266,000	Business Personal Property	80%	RCV	Built: 1970, Non- Combustible 5600 Old Highway 43 Satsuma, AL 36572 Fellowship Hall/Gym
00001	003	\$1,055,000	Building	80%	RCV	Built: 1956, Joisted Masonry 5600 Old Highway 43 Satsuma, AL 36572 Common Hall
00001	003	\$254,000	Business Personal Property	80%	RCV	Built: 1956, Joisted Masonry 5600 Old Highway 43 Satsuma, AL 36572 Common Hall
00001	004	\$2,932,000	Building	80%	RCV	Built: 1960, Masonry Non-Combustible 5600 Old Highway 43 Satsuma, AL 36572 Classrooms
00001	004	\$200,000	Business Personal Property	80%	RCV	Built: 1960, Masonry Non-Combustible 5600 Old Highway 43 Satsuma, AL 36572 Classrooms

\* Valuation. Indicate: ACV (Actual Cash Value), ALS (Actual Loss Sustained), RCV (Replacement Cost Value), SP (Selling Price) or SV (Stated Value).

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **SPECIFIED LIMITS ENDORSEMENT**

Prem./Loc. No.	Bldg. No.	Limit of Insurance	Type of Coverage	Coins. Percent	Val.*	Description & Location of Property Covered
00001	005	\$300,000	Building	80%	RCV	Built: 1996, Frame 5600 Old Highway 43 Satsuma, AL 36572 Day Care
00001	005	\$42,000	Business Personal Property	80%	RCV	Built: 1996, Frame 5600 Old Highway 43 Satsuma, AL 36572 Day Care
00001	006	\$173,000	Covered Walkway	N/A	RCV	Built: 1991, Frame 5600 Old Highway 43 Satsuma, AL 36572 Covered Walkway

\* Valuation. Indicate: ACV (Actual Cash Value), ALS (Actual Loss Sustained), RCV (Replacement Cost Value), SP (Selling Price) or SV (Stated Value).

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **APPLICABLE FORMS & ENDORSEMENTS**

FORMS AND ENDORSEMENTS LISTED BELOW APPLY TO AND ARE MADE PART OF THIS POLICY AT TIME OF ISSUE.

CPR-2147(02/04)	Declarations - SubLimit Addendum
CPR-2218(11/04)	Declarations - Deductible Addendum
CPR-2162(01/02)	Specified Limits Endorsement
CP-0010(06/07)	Building and Personal Property Coverage Form
CP-1030(06/07)	Causes Of Loss - Special Form
CP-0090(07/88)	Commercial Property Conditions
IL-0017(11/98)	Common Policy Conditions
CP-0415(10/00)	Debris Removal Additional Insurance
CP-1218(06/95)	Loss Payable Provisions
CP-1430(10/00)	Outdoor Trees, Shrubs and Plants
CP-1440(06/07)	Outdoor Signs
CPR-2152F(02/04)	Electronic Data Processing Endorsement
CPR-2161(11/13)	Ordinance or Law Coverage
CPR-2170(03/02)	Valuable Papers and Records
CPR-2177(03/02)	Accounts Receivable
CPR-2212(03/02)	Additional Named Insureds
CPR-2216(01/20)	Fine Arts Endorsement
CPR-2224(03/03)	Sewer Back Up Endorsement
CPR-2268(02/07)	Protective Safeguard Endorsement
CPR-2274(04/12)	Minimum Earned Premium Endorsement
CPR-2276(04/12)	Non-Payment Of Premium
CPR-2281(12/14)	Nuclear, Biological, Chemical, or Radioactive Exclusion
CPR-2282(02/15)	Exclusion Of Cosmetic Damage To Roof Surfacing
CPR-2283(05/19)	Actual Cash Value For Roof Surfacing
CPR-2284(04/15)	Fire Protection Equipment Recharge Endorsement
CP-1032(08/08)	Water Exclusion Endorsement
CPR-2117(08/15)	Definition of Occurrence
CPR-2126(10/01)	Limitation of Liability Endorsement
CPR-2133(10/01)	Absolute Pollution Exclusion Endorsement
CPR-2165(04/13)	Liberalization Clause Endorsement
CPR-2230(03/08)	Terrorism Exclusion
CPR-2237(08/03)	Additional Covered Property Endorsement

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**APPLICABLE FORMS & ENDORSEMENTS**  
**(cont'd)**

CPR-2252(07/04)	Property In Transit Endorsement
CPR-2261(09/04)	Fire Department Service Charge Endorsement
CPR-2269(06/09)	Asbestos Exclusion
CPR-2291(08/15)	Named Storm Definition
CPR-2295(04/20)	Windstorm Or Hail Loss Reporting Limitation Addendum
CPR-2309(03/20)	Exclusion Of Loss Due To Virus Or Bacteria
CPR-2310(04/20)	Appraisal
CPR-2311(04/20)	Legal Action Conditions Endorsement
CPR-2313(06/20)	Cyber And Computer Related Loss Exclusion
IL-0190(09/07)	Alabama Changes - Actual Cash Value
RIL-099(04/20)	Service Of Suit
ILF-0001C(04/16)	Signature Page

**ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.**